

Plymouth County Probate and Family Court
Temporary Case Management Protocol

Trials:

Trials scheduled to begin between March 18, 2020 and May 1, 2020 shall be continued. Counsel/parties will be contacted by the Court about rescheduling.

Trials in Progress:

Trials now in progress shall be conferenced telephonically on the next assigned trial date to determine future scheduling to conclude the trial.

Pre-Trial Conferences, Status Conferences, Case Management Conferences, Settlement Conferences:

1. No Pre-Trial, Status, Case Management or Settlement Conferences will be scheduled until after May 1, 2020.
2. Conferences already scheduled before May 1, 2020 will be rescheduled unless a telephone conference or videoconference hearing is requested and approved as provided herein.

Contempts:

1. No summonses will be issued for newly filed Contempts that are returnable before May 1, 2020.
2. Contempts scheduled for hearing between March 18, 2020 and May 1, 2020 shall be rescheduled to the first available date after May 1, 2020.
3. All terms and conditions of existing Orders shall remain in effect.

Motions:

1. No non-emergency motions will be scheduled before May 1, 2020.
2. Non-Emergency Motions that have been scheduled for hearing before May 1, 2020, will be decided as follows:

- A. On the pleadings pursuant to Rule 78, provided that:
 - i. both parties agree in writing to this process.
 - ii. the Court is provided with one (1) Motion Package consisting of the following:
 - a. the Motion, with a separate Memorandum stating the reasons that the Motion should be allowed, the supportive Affidavit of the moving party.
 - b. a Memorandum in opposition stating the reasons that the Motion should not be allowed, and the supportive Affidavit of the opposing party.
 - iii. Separately filed Memoranda and/or affidavits will not be considered. It is the obligation of the moving party to coordinate the filing of the one (1) permitted Motion Package.
- B. By telephone or videoconference, if necessary and practical, as determined by the Court. Contact the AJCM or Sessions Clerk assisting the Judge before whom the matter is scheduled for information on how the matter will proceed.
- C. If not decided as set forth in Paragraphs 1 or 2 above, the matter will be remarked by the parties to a date after May 1, 2020.

Ex Parte/Emergency Motions:

- 1. Ex Parte Motions shall be screened administratively by the Court to determine whether an emergency exists.
- 2. If the matter is deemed to require an immediate hearing, the Court will decide the time, place and manner of the hearing.

209A Abuse Prevention Orders:

209A Abuse Prevention Orders shall be handled pursuant to Standing Order 2-20.

Uncontested Matters:

Scheduled matters that are uncontested may be resolved administratively, or by telephone or videoconference pursuant to the separate protocol for same.

Telephone Conference:

A request for a telephonic hearing on a non-emergency matter already scheduled for hearing before April 30, 2020 shall be made in writing addressed to the AJCM or Sessions Clerk assisting the Judge before whom the case has been scheduled stating in the subject line "Telephonic Hearing Request". If permitted, the telephonic hearing will be scheduled on a date and time available to the Court.

Video Conference Procedure:

A request for a videoconference hearing before April 30, 2020 on any matter already scheduled shall be made in writing addressed to the AJCM or Sessions Clerk assisting the Judge before whom the case has been scheduled stating in the subject line "Videoconference Hearing Request". The request shall include the case name, docket number and event type, valid email addresses and phone numbers for all participants, and a certification that the participants have a computer, tablet or phone with video capability and microphone/speakers, a working WIFI/ internet connection, and the ability to download the realpresence player (for which a link will be sent by email). If permitted, the videoconference hearing will be scheduled on a date and time available to the Court.